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C O N F I D E N T I A L SECTION 01 OF 03 TEGUCIGALPA 001289

SIPDIS

STATE FOR WHA/CEN

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SUBJECT: STATE OF PLAY ON ZELAYA'S DEPARTURE

REF: TEGUCIGALPA 1280

Classified By: Ambassador Hugo Llorens for reasons 1.4 b & d.

11. (C) Summary: Efforts are ongoing to find a solution permitting the departure of President Jose Manuel "Mel" Zelaya from Honduras. Some regime hard-liners are urging de facto regime leader Roberto Micheletti to extract as many concessions as possible from Zelaya before allowing his departure. Zelaya advisors are encouraging him to accept political asylum, but his most radical left-wing circle has argued that a conditional departure would be viewed as a sell-out. Zelaya remains uncommitted to political asylum. While he wants to leave the uncomfortable environment of the Brazilian Embassy, he sees the benefit of being perceived as a victim of the regime and also wants to stay at the Brazilian Embassy until his term expires on January 27. De facto regime leader Roberto Micheletti is personally inclined to allow Zelaya to depart on humanitarian grounds. However, he is fearful of the initiative by Dominican Republic President Leonel Fernandez because he understands that a dialogue between President Zelaya and president-elect Porfirio "Pepe" Lobo will toll the death knell of his regime. President-elect Lobo is open to President Fernandez' proposal, but for him convincing Micheletti to relinquish power and permit formation of a national unity government is paramount. The Embassy will continue to use its good offices to facilitate an arrangement that would allow President Zelaya's departure, but the U.S. should not take the lead on this issue. Our priority should remain full implementation of the Tegucigalpa-San Jose Accord, including formation of a national unity government. End Summary.

The Advisors

12. (C) Efforts are ongoing behind the scenes to find a solution acceptable to all parties that will permit the departure from Honduras of President Jose Manuel "Mel" Zelaya. Chief of Staff General Romeo Orlando Vasquez has told us that he has urged de facto regime leader Roberto Micheletti to allow Zelaya to leave the country under the most advantageous terms possible, but Micheletti flatly turned him down, at least in so far as going back to the original proposal negotiated with the government of Mexico to issue a safe conduct pass for Zelaya and his immediate

family. However, Vasquez still believes that there is a chance to get this done if Zelaya can come around to accept the concept of political asylum without any conditions. He claims he will continue to work with moderates within the regime to achieve this. Arturo Corrales, Micheletti's representative on the Tegucigalpa-San Jose Accord's Verification Commission, has been making the case within the regime that Zelaya's departure would benefit Micheletti. He has argued that having Zelaya spend Christmas in the Brazilian Embassy further victimizes Zelaya and would be a bad public relations story for the regime. Corrales also believes that Zelaya's departure would decompress the situation in Honduras and allow president-elect Porfirio "Pepe" Lobo to begin work on the national healing that urgently needs to take place.

13. (C) Unfortunately, regime hard-liners, including regime foreign minister Carlos Lopez Contreras and vice foreign minister Marta Lorena Alvarado are not being cooperative and are insisting that for Zelaya to depart a country needs to request political asylum for him consistent with international law. Other hard-liners, such as businessmen and long-term Micheletti personal friends Johny Kafati and Roberto Turcios, want to extract additional concessions from President Zelaya before allowing his departure. These might include Zelaya's resignation, acceptance of the Tegucigalpa-San Jose Accord, acceptance of the December 2 congressional vote reaffirming the June 28 decision to remove Zelaya from office, and even acknowledging that he signed the bogus June 25 resignation letter that the regime made public after June 28. However, regime advisor Kenia Lima told the Ambassador that Micheletti would grant Zelaya political

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asylum without imposing any additional conditions.

14. (C) Zelaya advisors are encouraging him to accept political asylum. Respected legal expert Victor Meza, Minister of Governance and Justice and negotiator at the Guaymuras Dialogue that resulted in the Tegucigalpa-San Jose Accord, told the Ambassador that acceptance of political asylum by Zelaya would not imply his resignation as President of Honduras. Liberal Party leader Carlos Montoya as well as members of the powerful Rosenthal family have encouraged Zelaya to consider political asylum. However, the radical left-wing core of advisors who are with President Zelaya in the Brazilian Embassy, including Rasel Tome, have argued that a conditional departure would be perceived by Zelaya supporters as selling out and would undermine his legitimacy as president.

President Zelaya

15. (C) President Zelaya is exhausted, psychologically strained, and desirous of departing the Brazilian Embassy to be able to spend the Christmas season with his family in relative comfort. The urgency to arrange departure the week of December 7 might have been motivated in part by his interest in attending the ALBA Summit in Havana. However, Zelaya also appears to be motivated by finding a way to meet with president-elect Lobo to attempt to reach a deal. Zelaya understands that Congress will have to grant him political amnesty for him to be able to return to Honduras and he is obviously concerned about protecting his family's properties and financial interests. At the same time, Zelaya is well aware of the benefits of being perceived as a victim of the regime. Therefore, staying in the Brazilian Embassy until his term expires on January 27 is also one of his goals. This renders him uncommitted on whether or not to seek political asylum.

Micheletti

¶6. (C) De facto regime leader Roberto Micheletti remains as conflicted regarding Zelaya's departure as Zelaya himself. Micheletti has always viewed Zelaya's presence in Honduras as a potential security threat. He is personally inclined for humanitarian reasons to allow Zelaya and his family to depart the country during the holiday season and this moved him to give the green light for Zelaya's safe passage to Mexico. However, Micheletti is deeply distrustful of Zelaya and, according to Embassy sources, reports that Zelaya was planning to attend the ALBA Summit led Micheletti to impose additional conditions for approval of Zelaya's departure. Micheletti fears miscalculating and looking like he was made a fool of by Zelaya. Micheletti is fearful of the initiative by Dominican Republic President Leonel Fernandez because he understand that a dialogue between Zelaya and Lobo that is supported by the international community will underscore that the regime is marginalized and that its days are numbered. These fears make Micheletti more open to the influence of his advisors who are counseling him to extract as much as he can from Zelaya before allowing him to depart the country.

¶7. (C) In addition, the view that Micheletti should hold on to power until January 27 is starting to take hold of the regime. The argument put forth by the proponents of this position is that having Micheletti step aside before January 27 would be a recognition that the actions of June 28 were wrong. Micheletti's advisors believe that if Zelaya is not physically present in Honduras he no longer poses a threat and thus it would be more difficult to justify Micheletti's need to hold on to power.

President-elect Lobo

¶8. (C) President-elect Lobo said, during an impromptu press conference on December 13 upon his return from a short Miami vacation, that he is open to President Fernandez' proposal

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that he meet with President Zelaya in the Dominican Republic.

However, Lobo emphasized that his prime focus is implementation of the Tegucigalpa-San Jose Accord. He said a government of national unity must be formed and legislation providing political amnesty for Zelaya, Micheletti, and the military must be promoted. Lobo supports Zelaya's departure.

However, he will be reluctant to battle Micheletti on that since he believes he needs plenty of political capital to obtain implementation of the accord and formation of a national unity government.

¶9. (C) Comment: The Embassy will continue to use its good offices to facilitate an arrangement that would allow President Zelaya to depart the country. We believe Zelaya's departure would be beneficial for him and for his country. However, the U.S. should not take the lead on this issue. The priority of the U.S. must remain implementation of the Tegucigalpa-San Jose Accord and formation of a government of national unity with Micheletti relinquishing power. Although president-elect Lobo is willing to meet with President Zelaya under the auspices of President Fernandez of the Dominican Republic, he views Zelaya as a loaded gun and remains wary of what Zelaya might pull when he meets with him.

LLORENS